

JAN 26 2005

FROMMER LAWRENCE & HAUG LLP

745 Fifth Avenue
New York, New York 10151
Telephone: (212) 588-0800
Facsimile: (212) 588-0500
E-mail: Firm@flhlaw.com

FACSIMILE COVER LETTER

To: Examiner Janelle Combs-Morillo
Group Art Unit: 1742
Confirmation No.: 8463
United States Patent Office

Firm: United States Patent and Trademark Office

Facsimile: (703) 872-9306

From: Howard C. Lee

Date: January 26, 2005

Re: Terminal Disclaimer
USSN 10/060,520
Filed: January 30, 2002
**For: PROCESS FOR PRODUCING METAL FOAM AND METAL
BODY PRODUCED USING THIS PROCESS**
FLH Ref. No.: 512425-2070

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PATENT
512425-2070IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : KNOTT et al.
Serial No. : 10/060,520
Confirmation No. : 8463
For : PROCESS FOR PRODUCING METAL FOAM
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Examiner : Jancil Combs Morillo
Art Unit : 1742

745 Fifth Avenue
New York, NY 10151FACSIMILE

I hereby certify that this paper is being facsimile transmitted to the
Patent and Trademark Office on the date shown below.

Howard C. Lee, Reg. No. 48,104

Type or print name of
person signing certification

Howard C. Lee
Signature

January 26, 2005

Date of Signature

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION (37 C.F.R. 1.321(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The below-named attorney of record, authorized to sign this disclaimer, hereby
disclaims the terminal part of any patent granted on application SN: 10/060,520 which would
extend beyond the expiration date of the full statutory term of the U.S. Patent scheduled to issue

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from U.S. Patent Application No. 10/162,978 and hereby agrees that any patent so granted on this application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the U.S. Patent scheduled to issue from U.S. Patent Application No. 10/162,978. This agreement is to run with any patent granted on said application and to be binding upon the grantor, its successors or assigns. Title to application SN: 10/060,520 is in Goldschmidt AG, a corporation of the Federal Republic of Germany, and Bühler Druckguss, a Swiss Corporation, as evidenced by the assignment from the inventors recorded on June 4, 2002 at Reel 012963, Frame 0078.


The evidentiary documents accompanying or referred to in the Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of the assignee's knowledge and belief, title is in the assignee seeking to take action.

The below-named attorney of record does not disclaim any terminal part of any patent granted on said application prior to the expiration date of the full statutory term of the U.S. Patent scheduled to issue from U.S. Patent Application No. 10/162,978 in the event that said U.S. Patent scheduled to issue from U.S. Patent Application No. 10/162,978 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

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The Commissioner is hereby authorized to charge any additionally required fee occasioned by this paper, or credit any overpayment in such fees, to Deposit Account No.50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 
William F. Lawrence
Reg. No. 28,029

Howard C. Lee
Reg. No. 48,104
Tel (212) 588-0800
Fax (212) 588-0500